

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIKE J. MACKEY,

Defendant.

9:20-PO-05081-KLD

Violation Numbers :

FAQU0012

FAQU0013

FAQU0014

FAQU0015

Location Code: M2

JUDGMENT

Defendant Mike Mackey appeared before the Court for a bench trial on September 22, 2021. Defendant was found **GUILTY** of the following charge(s): **FAQU0014**, removing any timber, tree, or other forest product except as authorized by permit in violation of 36 C.F.R. § 2616H, and **FAQU0015**, operating a motor vehicle off of a designate route in violation of 36 C.F.R. § 26113. Defendant was found **NOT GUILTY** of the following charge(s): **FAQU0012** and **FAQU0013**, constructing, maintaining any kind of road or other improvement on national forest system lands without a special use authorization, contract or approved operating plan in violation of 36 C.F.R. § 26110A.

The Court imposes the following sentence pursuant to the Sentencing Reform Act of 1984:

1. Defendant must pay the \$10.00 special assessment and the \$30.00 processing fee for each of the violations FAQU0014 and FAQU0015 for a total amount due of \$80.00. Defendant must pay by check or credit card payable to “U.S. Courts – CVB” and mailed to Central Violations Bureau, P.O. Box 780549, San Antonio, TX 78278. Alternatively, Defendant may pay online at www.cvb.uscourts.gov. Payment shall be made by October 30, 2021, unless a payment plan is set up with the Clerk of Court.

Defendant is prohibited from entering any and all forest service lands within the District of Montana for a period of 1 year.

2. Pursuant to 18 U.S.C. §§ 3402 and 3742(g) and Federal Rule of Criminal Procedure 58(g)(2)(B), Defendant has the right to appeal the judgment of conviction and sentence imposed in this case to a United States District Court Judge within fourteen (14) days after entry of judgment by filing with the Clerk of District Court a statement specifying the judgment from which the appeal is taken, serving a copy of the statement upon the United States Attorney (personally or by mail), and filing a copy with U.S. Magistrate Judge Kathleen L. DeSoto. If Defendant appeals, Defendant will be required to pay a \$38 fee pursuant to 28 U.S.C. § 1914, Fee Schedule, subsection (10), at the time of filing the appeal.

Defendant also will be required to furnish the District Court Judge with a copy of the record, which consists of the “original papers and exhibits in the case together with any transcript, tape, or other recording of the proceedings and a certified copy of the docket entries which shall be transmitted promptly by the clerk of court.”

Fed. R. Crim. P. 58(g)(2)(C).

DATED this 22nd day of September, 2021.



Kathleen L. DeSoto
United States Magistrate Judge